

SENATE BILL 137 (LRB -0718)

An Act to renumber 340.01 (29m); to renumber and amend 340.01 (30); and to create 340.01 (29m) (bm) and 340.01 (30) (b) of the statutes; relating to: the definitions of motor bicycle and moped. (FE)

2009

03-26.	S.	Introduced by Senators Harsdorf, Holperin, Schultz, Taylor and A. Lasee ; cosponsored by Representatives Sherman, Berceau, Ballweg, A. Ott and Townsend .	
03-26.	S.	Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources	113
04-09.	S.	Fiscal estimate received.	
04-16.	S.	Public hearing held.	
05-01.	S.	Executive action taken.	
05-01.	S.	Report passage recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 7, Noes 0	153
05-01.	S.	Available for scheduling.	
05-12.	S.	Placed on calendar 5-13-2009 by committee on Senate Organization	162
05-13.	S.	Read a second time	170
05-13.	S.	Ordered to a third reading	170
05-13.	S.	Rules suspended	170
05-13.	S.	Read a third time and passed	170
05-13.	S.	Ordered immediately messaged	170
05-14.	A.	Received from Senate	196
05-14.	A.	Read first time and referred to committee on Transportation	197
07-16.	A.	Public hearing held.	
09-10.	A.	Executive action taken.	
09-16.	A.	Report concurrence recommended by committee on Transportation, Ayes 11, Noes 0	375
09-16.	A.	Referred to committee on Rules	375

2010

01-13.	A.	Placed on calendar 1-19-2010 by committee on Rules.	
01-19.	A.	Read a second time.	
01-19.	A.	Ordered to a third reading.	
01-19.	A.	Rules suspended.	
01-19.	A.	Read a third time and concurred in .	
01-19.	A.	Ordered immediately messaged.	
01-19.	S.	Received from Assembly concurred in.	

2009
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ADOPTED DOCUMENTS:

☒ Orig ☐ Engr SubAmdt

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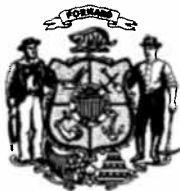
Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

1-20-10
Date


Enrolling Drafter



2009 SENATE BILL 137

March 26, 2009 - Introduced by Senators HARSDORF, HOLPERIN, SCHULTZ, TAYLOR and A. LASEE, cosponsored by Representatives SHERMAN, BERCEAU, BALLWEG, A. OTT and TOWNSEND. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

- 1 **AN ACT** *to renumber* 340.01 (29m); *to renumber and amend* 340.01 (30); and
2 *to create* 340.01 (29m) (bm) and 340.01 (30) (b) of the statutes; **relating to:** the
3 definitions of motor bicycle and moped.

Analysis by the Legislative Reference Bureau

Under current law, a "moped" is defined to include a bicycle-type vehicle, which has fully operative pedals and an engine that is an integral part of the vehicle, that is capable of a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind. A "motor bicycle" is defined as a bicycle to which a power unit not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour under the same conditions. Certain legal consequences follow from the classification of a vehicle as a moped or a motor bicycle. For example, a motor bicycle is exempt from the requirement of vehicle registration with the Department of Transportation (DOT), while a moped must be registered with DOT in the same manner as a motorcycle. Also, with exceptions, mopeds are generally treated similarly to motorcycles for purposes of traffic regulation and vehicle equipment requirements, while motor bicycles are generally treated similarly to bicycles. However, a person must possess a valid operator's license to operate on a highway either a moped or a motor bicycle.

This bill expands the definition of "motor bicycle" to include a two-wheeled or three-wheeled vehicle that has fully operative pedals and an electric motor of less than 750 watts and that is capable, when powered solely by the motor, of a maximum speed of less than 20 miles per hour with a 170-pound rider on a dry, level, hard

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surface with no wind. This definition is similar to the definition under current federal law of “low-speed electric bicycle.” The bill also specifies that such a vehicle is not a moped.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 340.01 (29m) of the statutes is renumbered 340.01 (29m) (am).

2 **SECTION 2.** 340.01 (29m) (bm) of the statutes is created to read:

3 340.01 (**29m**) (bm) “Moped” does not include a motor bicycle.

4 **SECTION 3.** 340.01 (30) of the statutes is renumbered 340.01 (30) (intro.) and
5 amended to read:

6 340.01 (**30**) (intro.) “Motor bicycle” means ~~a~~ any of the following:

7 (a) A bicycle to which a power unit not an integral part of the vehicle has been
8 added to permit the vehicle to travel at a speed of not more than 30 miles per hour
9 with a 150-pound rider on a dry, level, hard surface with no wind and having a seat
10 for the operator.

11 **SECTION 4.** 340.01 (30) (b) of the statutes is created to read:

12 340.01 (**30**) (b) A 2-wheeled or 3-wheeled vehicle that has fully operative
13 pedals for propulsion by human power and an electric motor of less than 750 watts
14 and that is capable, when powered solely by the motor, of a maximum speed of less
15 than 20 miles per hour with a 170-pound rider on a dry, level, hard surface with no
16 wind.

17 **SECTION 5. Initial applicability.**

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1 (1) This act first applies to vehicles operated on the effective date of this
2 subsection.

3 (END)